Remarks:

In the specifications, the new paragraph was added to demonstrate how rotation of the pivot member causes slidable movement of the side support members. This new paragraph was added after the last paragraph of the original application.

In the drawings, Appellant attaches additional drawings FIG.16 and FIG.17. The description of the operation of the assembly of the balance shoe housing with pivot member and both side support members is provided in the original application, page 3 paragraph 4:

> When the pivot member rotates, the oval-shaped top portion forces at least one side support member into the inner surface of the window jamb channel, *i.e.* one or both of the side sections. Thus, the side support member is under compressive force between the pivot member and a window jamb channel when the pivot member rotates. This compressive force allows a user to tilt a window at any point along its vertical movement within the window frame.

page 3 paragraph 5:

> When the pivot member is rotated back, and the window has returned to a resting, vertical position, the side support members retracts and becomes generally flush with the surface of the balance shoe housing, *i.e.,* does not interfere with travel of the window as the window is raised and lowered.

page 8 paragraph 2:

> Side support member **35** has an inner arcuate surface **63** which articulates with the oval head portion **48** of pivot member **28**. Thus, when pivot member is rotated, the oval design forces the side support member **35** into the inner surface of the window jamb channel. The compressive force generated by the oval head **48** pressing the side support member **35** into the inner surface of the window jamb channel allows the window to be locked into place at any position along its vertical frame when tilted.

page 8 paragraph 4:

> The side support member **35** may extend a fixed distance away from the balance shoe housing **11** due to at least one retaining arm **34**. Retaining arm **34** fits between retaining means **41** and **42**. Thus, when the window is in a vertical position within the frame, retaining arm **34** is positioned up against retaining means**42**; when, the window is tilted, the retaining arm **34** moves horizontally until it is s[t]opped by retaining means.

In the claims, claims 1 and 6 have been cancelled. Claims 2, 3, 5 and 7 were amended to more accurately define Appellant's invention. Claims 4 and 8 remain in this application. Claims 10, 11, 12 and 13 have been added to demonstrate the important distinction of the present invention of the teaching of US 6,332,288. The Examiner rejected claims 1 through 6 as being anticipated by US 6,332,288. Applicant respectfully disputes the rejection of these claims in view of the US 6,332,288. The present invention employs an oval-shaped pivot member which engages at least one slidable side support member where the side support member slides within a channel, traveling between a first position and a second position. The side support member/members exists and moves independently from pivot member, unlike US 6,332,288 which uses the oblong-shaped collar to engage two extending cantilevered arms where these arms do not slide but are pressed against the walls of a window jamb channels and they are fixed to the housing at one end of the arm. The US 6,332,288 describes side sections as "the cantilever arms 42 and 44 project downward from sliding faces 38 and 40, respectively. The cantilever arms are resiliently biased inward of the U-shaped piece." Column 4, line 6-9. This evidently demonstrates that US 6,332,288 embodied a device where the side members are indispensable part of the housing member which contrasts with the present invention

where side member/members that engage the window jamb channels are separate elements.

Respectfully submitted,

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Amendments to the Drawings:

The attached sheet of drawings includes FIG.16 and FIG.17 to demonstrate how the side support members are fit within the housing and to show an expanded view of how all the elements work when the pivot member is rotated and contacts the side support members.